

Message Text

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43

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FM AMEMBASSY TAIPEI

TO SECSTATE WASHDC 5158

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E.O. 11652: N/A

TAGS: CASC, SNAR, TW

SUBJECT: POPPY SEED CASE

REF: STATE 101234

1. TRIAL OF POPPY SEED CASE RESULTED IN CONVICTION OF ALLEN SHEN AND AUSTIN FRIED ON CHARGE OF TRANSPORTING POPPY SEED. SHEN WAS SENTENCED TO THREE AND ONE-HALF YEARS IMPRISONMENT, WHILE FRIED WAS EXEMPTED FROM PUNISHMENT ON GROUNDS THAT AMERICAN LAW DOES NOT BAN THE PRODUCTION, TRANSPORT OR SALE OF POPPY SEEDS, AND THAT FRIED WAS IGNORANT OF CHINESE LAW.

2. IN ITS VERDICT, THE COURT REFERRED TO INTENDED USE OF THE POPPY SEEDS ON SAMPLE BREAD LOAVES, AND DID NOT ALLEGE ANY INTENTION TO USE POPPY SEEDS FOR NARCOTIC PURPOSES. NOTING THAT SHEN BROKE THE LAW ONLY BECAUSE HE WAS "GREEDY AND CARELESS", THE COURT GAVE HIM THE "LIGHT PUNISHMENT" OF 3 ONE-HALF YEARS.

3. SHEN PLANS TO APPEAL HIS CASE TO HIGHER COURT. WE HAVE NO WAY OF ESTIMATING HIS CHANCES OF GETTING THE SENTENCE REVERSED OR REDUCED.

4. WE WILL FORWARD A COPY OF THE VERDICT AS SOON AS WE HAVE A SATISFACTORY TRANSLATION.
POPPLE

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<< END OF DOCUMENT >>

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